

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE: ARC AIRBAG  
INFLATORS PRODUCTS  
LIABILITY LITIGATION

MDL No. 3051

Case No: 1:22-MD-3051-ELR

District Judge Eleanor L. Ross

**SPECIALLY APPEARING DEFENDANT VOLKSWAGEN  
AKTIENGESELLSCHAFT’S UNOPPOSED  
MOTION TO EXTEND ITS TIME TO RESPOND TO PLAINTIFFS’  
CORRECTED CONSOLIDATED CLASS ACTION COMPLAINT**

Specially Appearing Defendant Volkswagen Aktiengesellschaft (“VWAG”)

hereby moves to extend its time to respond to Plaintiffs’ Corrected Consolidated Class Action Complaint (“CAC”). In support thereof, it states as follows:

1. On August 28, 2023, Plaintiffs filed a Corrected Consolidated Class Action Complaint asserting claims against numerous Defendants, including VWAG. *See* ECF 157.

2. On January 9, 2025, Volkswagen AG received service of the CAC under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents (the “Hague Convention”). Under Rule 12(a)(1)(A)(i), VWAG’s deadline to respond to the CAC is January 30, 2025.

3. VWAG intends to file a motion to dismiss for, among other potential defenses, lack of personal jurisdiction.

4. Under L.R. 7.1(B), Plaintiffs' deadline to oppose VWAG's forthcoming motion to dismiss is February 13, 2025.

5. VWAG would then have until February 27, 2025 to file its reply in support of its motion.

6. The Parties met and conferred regarding a proposed amended briefing schedule agreeable to both sides.

7. The parties agreed to the following:

Event	Current Deadline	Proposed Agreed Upon Deadline
Defendant's Motion to Dismiss	01/30/2025	02/28/2025
Plaintiffs' Opposition	02/13/2025	04/04/2025
Defendant's Reply	02/27/2025	05/02/2025

10. This request is submitted in good faith and is not intended to cause undue delay, unnecessary burden, or needless expense.

11. By filing this Motion, Specially Appearing Defendant VWAG does not waive any defenses, including its right to challenge personal jurisdiction or the sufficiency of service. *See* Fed. R. Civ. P. 12(h).

12. Plaintiffs do not oppose this motion. *See* Ex. A.

**WHEREFORE**, Specially Appearing VWAG respectfully requests, without opposition from Plaintiffs, that the Court extend VWAG's time to respond to the CAC and adopt the briefing schedule described in this motion.

Respectfully Submitted,

/s/ Michael B. Shortnacy

KING & SPALDING LLP  
Susan V. Vargas  
633 West Fifth Street, Suite 1600  
Los Angeles, CA 90071  
(213) 443-4355  
Fax: (213) 443-4310  
svargas@kslaw.com

Livia M. Kiser  
110 N Wacker Drive, Suite 3800  
Chicago, IL 60606  
(312) 764-6911  
Fax: (213) 443-4310  
lkiser@kslaw.com

SHOOK, HARDY & BACON L.L.P.  
Michael B. Shortnacy  
2121 Avenue of the Stars , Suite 1400  
Los Angeles, CA 90067  
(424) 324-3494  
Fax: (424) 204-9093  
mshortnacy@shb.com

*COUNSEL FOR SPECIALLY APPEARING  
DEFENDANT VOLKSWAGEN  
AKTIENGESELLSCHAFT*

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rules 5.1 and 7.1, I certify that the foregoing memorandum was prepared using Times New Roman 14-point font.

Date: January 22, 2025

*/s/ Michael B. Shortnacy*  
Michael B. Shortnacy

**CERTIFICATE OF SERVICE**

I certify that, on January 22, 2025, the foregoing document was served on all counsel of record via the court's CM/ECF e-filing system.

*/s/ Michael B. Shortnacy*  
Michael B. Shortnacy